

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

FEDERAL DEPOSIT INSURANCE)
CORPORATION AS RECEIVER FOR)
THE COLUMBIAN BANK AND)
TRUST COMPANY,)
)
 Plaintiff,)
)
v.) Case No. 11-CV-00779-FJG
)
)
SILVER KEY CONSTRUCTION, LLC,)
et al.,)
)
 Defendants.)
)
)

ORDER

Currently pending before the Court is FDIC as Receiver for the Columbian Bank and Trust Company's ("FDIC-R") Motion for Default Judgment Against Defendant Christopher M. Johnson (Doc. No. 39).

On August 5, 2011, FDIC-R filed its verified complaint and emergency motion for temporary restraining order against Defendants. FDIC-R's complaint seeks relief relating to Defendant Silver Key and Defendant Christopher Johnson's interference with FDIC-R's ownership and management of property located in Knob Noster, Missouri, following foreclosure (Doc. No. 1). On October 7, 2011, the Court granted FDIC-R permission to serve Defendant Johnson through alternative means, including service via publication, certified mail, and U.S. Marshal (Doc. No. 24). Pursuant to Missouri Rule of Civil Procedure 54.12(c), service was obtained on Defendant Johnson via publication in the *KC Daily Record* on October 18, 2011, continuing once per week for four consecutive weeks, including

October 25, 2011, November 1, 2011, and November 8, 2011 (Doc. No. 32). Defendant Johnson has failed to file an answer, or otherwise respond to FDIC-R's complaint. Pursuant to Federal Rule of Civil Procedure 12 and 55, Defendant Johnson is now in default. Accordingly, FDIC-R's Motion for Default Judgment Against Defendant Christopher Johnson (Doc. No. 39) is hereby **GRANTED**.

The Clerk of the Court is directed to mail a copy of this order via regular and certified mail to the following: Christopher M. Johnson 32874 W. 216th Street Lawson, Missouri 64062; and Christopher Johnson 452 Knolls Place Nashville, Tennessee 37211.

IT IS SO ORDERED.

Date: 12/09/11
Kansas City, Missouri

S/ FERNANDO J. GAITAN, JR.
Fernando J. Gaitan, Jr.
Chief United States District Judge